

**Protect Music Valley Comment to Board of Supervisors
on Mining Ordinance Revision Oct 20 2026**

October 18, 2026

Board of Supervisors
County of San Bernardino, CA

Re: Agenda Item #73, the proposed ordinance to repeal and reenact local surface mining and land reclamation regulations (Project No. PMISC-2026-00029)

Dear Supervisors Rowe, Cook, Armendarez, Hageman, and Baca:

Thank you for the opportunity to comment on Agenda Item #73, the County mining ordinance revision Project No. PMISC-2026-00029 ("Proposal"). We are Protect Music Valley, Wonder Valley residents united to protect our desert community, the natural resources that sustain us, and treasured Joshua Tree National Park from the threat of destructive industrial-scale mining in Music Valley. We direct you also to the comment letter we submitted to Land Use Services on Oct 12 that provides more supporting detail to these comments.

While we appreciate the effort and the changes made, we believe the outreach effort by Land Use Services fell far short of what they were instructed to do by the Board and we want to share the remaining concerns we have regarding the Proposal as it stands.

The Proposal is of vital concern to our desert community, historically an area of active mining interest. Without proper oversight, mining operations have the potential to cause serious health harm through contamination of the air and our precious water supply, as well as damaging the livelihoods and businesses of your constituents. The wrong language in our County mining ordinance could potentially open the gates to destructive industrial-scale projects like the Music Valley Mine. The community of Wrightwood is sadly an example in real time of how significant the consequences can be of inadequate regulation, in the form of Lone Pine Canyon Road Quarry.

Because the language is complex and technical but also so vital to rural communities like Wonder Valley in terms of possible consequences, we need full engagement and dialogue with Land Use Services in order to safeguard our interests as stakeholders.

The Desert Communities Are Stakeholders

Per the county's own records, the county consulted with "stakeholders." However, the stakeholders consulted were ONLY the mining representatives. The public are stakeholders, and this must be specified in the county policy.

Concerns Regarding Inadequate Engagement with the Community

The county has been working on this policy update for 3 years; the public has had 3 months to digest it and try to understand it well enough to ask questions.

Following the August 18 County Board of Supervisors hearing LUS did not engage with the public in a meaningful way. As recorded in "Board Actions, Aug. 18" on the County website, the Board directed LUS to "conduct additional community outreach, respond to questions from the community and evaluate potential clarifying amendments before the item returns for further consideration." LUS's response to these instructions was limited to the release of a minimally revised draft of the ordinance section of most concern, a Frequently Asked Questions (FAQ) document, and an email address to send any additional questions or comments. This release was on September 29, exactly three weeks before the scheduled Oct 20 hearing.

This was inadequate and disappointing. LUS considered FAQs as sufficient information for the public, but FAQs are not dialogue. The FAQ document is not a true consultation with community members about the ordinance, where there is an actual opportunity for dialogue, for follow-up on questions, and the potential ability to effect changes.

Therefore, given there has been no consultation with the community by those drafting the ordinance, the County Board of Supervisors should not vote on the ordinance proposal until such consultation has happened.

Concerns Regarding the Proposal

We have the following remaining concerns regarding the revised ordinance and need consultation with the County to answer our questions:

1. **Section 88.03.040(b): CEQA review of project on federal lands.** It is unclear from the language in 88.03.040(b) whether or not there will be a CEQA review of a mining project when it is on federal lands, if that review will be inclusive of the mining project itself, and whether the County will be the lead agency. If there is no CEQA review, or if the County is not the lead agency for such a review, the voices of the immediately impacted residents in the permitting of those projects will be diminished. We are asking LUS and

the County to change the language in the ordinance to explicitly state that a County-led CEQA review for mining projects – even on federal lands, and inclusive of the mining operations – will still be required.

2. **Section 88.03.060 (a): Vested rights.** The language in 88.03.060 (a) is unclear regarding the possibility of combining vested rights in mining claims or operations into large projects without any permitting or County lead CEQA review. The current language suggests that is possible; it needs to be changed so it becomes clear that that is not possible. We are asking that a CEQA review of a combination of individual mining vested claims or operations resulting in the combined project being above the relevant SMARA thresholds is required.
3. **Need for CEQA review of the ordinance.** If the clarifying changes noted in Concerns #1 and #2 are not made in the Draft Ordinance, the argument that “with certainty there is no possibility that the ordinance change may have a significant effect on the environment” cannot be made, and that as a consequence a CEQA review of the ordinance changes themselves is required under California law. (§ 21064 Negative Declaration, California Environmental Quality Act.) Also, if a CEQA review of the process had been required, as it should have given the substantial changes involved, the community’s role as stakeholder would not have been ignored from the beginning as described above.
4. **Exemptions from SMARA.** The County should clarify that any exemptions from SMARA must consider the project as a whole and that the County will not allow exemptions to be applied to multiple mining activities by the same operator in the same area.
5. **Amending the MOU.** The County should encourage the state agencies to amend the MOU from 1992 to align with modern environmental review procedures and the plain language of SMARA regarding exemptions.
6. **Consultation with impacted communities.** We want assurance that impacted communities are actively consulted and there are clear opportunities for public input in future projects and mining policy updates.

Conclusion

In short, we oppose a mining ordinance revision that would diminish or remove:

1. Residents’ ability to fully be heard and participate in the process as provided under the current ordinance, or that will limit or undermine community voices.
2. All County or public oversight that exists under the current ordinance.
3. All County permitting, CEQA review, public notice, public hearings, and County-imposed conditions on any mining operation or portion of an operation as required under the current ordinance.

As stated above, given there has been no consultation with the community by those drafting the ordinance, the County Board of Supervisors should not vote on the ordinance proposal until such consultation has happened.

Thank you again for the opportunity to comment on the Proposal.

Sincerely,

Chris Carraher

Adrian Field

Eric Hamburg

Mark Heuston

Maarten Oostendorp

Margaret Oostendorp

Catherine Powell

Ron Resnick

Beth Sheffield

for [PROTECT MUSIC VALLEY](#)